

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
 Stylesheet Version v1.2

ETAS ID: TM606633

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	Termination and Release of Trademark Collateral Agreement at Reel/Frame No. 5369/0030		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Bank of Montreal, as Agent		11/03/2020	Chartered Bank: CANADA
RECEIVING PARTY DATA			
Name:	Railing Dynamics Inc.		
Street Address:	135 Steelmanville Road		
City:	Egg Harbor Township		
State/Country:	NEW JERSEY		
Postal Code:	08234		
Entity Type:	Corporation: NEW JERSEY		
PROPERTY NUMBERS Total: 11			
Property Type	Number	Word Mark	
Registration Number:	2323823	FINYL RAIL	
Registration Number:	2723147	ENDURANCE	
Registration Number:	3149785	NOVALINE	
Registration Number:	3201365	STRATA	
Registration Number:	3517648	TITAN PRO RAIL	
Registration Number:	3648282	FOR HOME FOR LIFE	
Registration Number:	3754684	RDI	
Registration Number:	3754687	RDI	
Registration Number:	3927378	RAILING DYNAMICS, INC.	
Registration Number:	4227422	RDI METALWORKS	
Registration Number:	4265457	EXCALIBUR	
CORRESPONDENCE DATA			
Fax Number:	2138918763		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
Email:	rhonda.deleon@lw.com		
Correspondent Name:	Latham & Watkins LLP		
Address Line 1:	355 South Grand Avenue		
Address Line 4:	Los Angeles, CALIFORNIA 90071-1560		

OP \$290.00 2323823

ATTORNEY DOCKET NUMBER:	038263-0387
NAME OF SUBMITTER:	Rhonda DeLeon
SIGNATURE:	/Rhonda DeLeon/
DATE SIGNED:	11/03/2020
Total Attachments: 4 source=Backyard - Railing Dynamics IPSA Release (Trademarks)#page1.tif source=Backyard - Railing Dynamics IPSA Release (Trademarks)#page2.tif source=Backyard - Railing Dynamics IPSA Release (Trademarks)#page3.tif source=Backyard - Railing Dynamics IPSA Release (Trademarks)#page4.tif	

TERMINATION AND RELEASE OF TRADEMARK COLLATERAL AGREEMENT

THIS TERMINATION AND RELEASE OF TRADEMARK COLLATERAL AGREEMENT (this "Termination"), is dated as of November 3, 2020, and made by Bank of Montreal, a Canadian chartered bank, ("Agent") to Railing Dynamics Inc., a New Jersey corporation ("Debtor").

WHEREAS, reference is made to (i) certain Credit Agreement, dated as of September 23, 2014 (as amended, the "Credit Agreement"), among Railing Dynamics, Inc., the guarantors party thereto, the financial institutions listed on the signature pages thereof as Lenders, and (ii) the other Loan Documents (as defined in the Credit Agreement) and all guaranties, security agreements, mortgages, subordination agreements, intercreditor agreements, pledge agreements, blocked account agreements, notes and other documents and instruments relating thereto (together with the Credit Agreement, collectively, the "Credit Documents");

WHEREAS, pursuant to certain Trademark Collateral Agreement dated as of September 23, 2014, made by Railing Dynamics, Inc. in favor of Agent (collectively, the "Collateral Agreements"), security interests were granted by Railing Dynamics, Inc. to Agent in the trademarks, trademark registrations and trademark applications, which included the Trademarks (as hereinafter defined);

WHEREAS, the Collateral Agreements were recorded in the Trademark Division of the United States Patent and Trademark Office on September 25, 2014, at Reel 5369 and Frame 0030;

WHEREAS, Debtor has paid all its outstanding Obligations to Agent under the Credit Documents;
and

WHEREAS, Agent now desires to terminate and release the Collateral Agreements;

NOW, THEREFORE, for good and valuable consideration including the satisfaction of all obligations, indebtedness and liabilities secured pursuant to the Collateral Agreements, the receipt and adequacy of which are hereby acknowledged, and upon the terms set forth in this Termination, Agent hereby states as follows:

1. Definitions. The term "Trademarks", as used herein, shall mean all of the Debtor's right, title and interest of every kind and nature as of the date hereof in the trademarks listed on Schedule A hereto.

2. Release of Security Interest. Agent hereby terminates the Collateral Agreements and terminates, releases and discharges its security interest in the Trademark Collateral and reassigns to the person or persons legally entitled thereto all right, title and interest that Agent may have in the Trademark Collateral.

3. Representations and Warranties. Agent represents and warrants that: (i) it has the full power and authority to execute this Termination; and (ii) it has not assigned, transferred, restricted or otherwise encumbered its rights under the Collateral Agreements.

4. Further Assurances. Agent hereby agrees to duly execute, acknowledge, procure and deliver any further documents and to do such other acts as may be reasonably necessary to effect the release contemplated hereby.

5. Governing Law. This Termination and the rights and obligations of the parties hereto shall be governed by, and construed and interpreted in accordance with, the law of the State of Illinois.

IN WITNESS WHEREOF, the Agent has caused this Termination to be executed by its duly authorized officer as of the date first written above.

BANK OF MONTREAL, as Agent


By: Randon Gardley
Name: Randon Gardley
Title: Vice President

[Signature Page to Termination and Release of Trademark Collateral Agreement]

SCHEDULE A
TO TERMINATION AND RELEASE OF TRADEMARK COLLATERAL AGREEMENT

REEL/FRAME: 5369/0030:

FEDERAL TRADEMARK REGISTRATIONS

REGISTERED MARKS	Type	U.S. Registration Number	Date Registered
FINYL RAIL	Standard Character	2,323,823	February 29, 2000
ENDURANCE	Standard Character	2,723,147	June 10, 2003
NOVALINE	Standard Character	3,149,785	September 26, 2006
STRATA	Standard Character	3,201,365	January 23, 2007
TITAN PRO RAIL	Standard Character	3,517,648	October 14, 2008
FOR HOME FOR LIFE	Standard Character	3,648,282	June 30, 2009
	Stylized	3,754,684	March 2, 2010
rdi	Standard Character	3,754,687	March 2, 2010
RAILING DYNAMICS, INC.	Standard Character	3,927,378	March 8, 2011
RDI METALWORKS	Standard Character	4,227,422	October 16, 2012
EXCALIBUR	Standard Character	4,265,457	December 25, 2012